

EK:JSR

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

12 M 507

- - - - - X
UNITED STATES OF AMERICA

REMOVAL TO THE NORTHERN
DISTRICT OF NEW YORK

- against -

Fed. R. Crim. P. 5

NELSON CORDERO,

Defendant.

- - - - - X
EASTERN DISTRICT OF NEW YORK, SS:

RYAN GUAY, being duly sworn, deposes and says
that he is a Deputy with the United States Marshals Service
("USMS") duly appointed according to law and acting as such.

Upon information and belief, on May 23, 2012, an arrest
warrant was issued by the United States District Court for the
Northern District of New York charging the defendant NELSON
CORDERO with a violation of pretrial release/supervision, in
violation of Title 18, United States Code, Section 3148.

The source of your deponent's information and the
grounds for his belief are as follows:

1. On May 23, 2012, the United States Department of
Probation filed a Declaration in support of an Arrest Warrant for
the Defendant in the District Court for the Northern District of
New York. A copy of the Declaration is attached hereto.

2. On May 23, 2012, the United States District Court
for the Northern District of New York issued an arrest warrant

for the defendant NELSON CORDERO charging the defendant with a violation of pretrial release/supervision, in violation of Title 18, United States Code, Section 3148. A copy of the warrant is attached hereto.

3. On May 25, 2012 at approximately 6:00 a.m., the USMS responded to 614 45th Street, 2nd Floor, Brooklyn, New York in an attempt to locate the defendant NELSON CORDERO.

4. USMS deputies knocked on the door of 614 45th Street. A male individual opened the door and informed the deputies that the defendant NELSON CORDERO was sleeping upstairs in his apartment. USMS Deputies proceeded to the second floor and knocked on the defendant's door. A male subject opened the door and the USMS deputies asked to speak with the defendant. The defendant NELSON CORDERO then appeared at the door. The photograph associated with the arrest warrant appeared to be of the defendant.

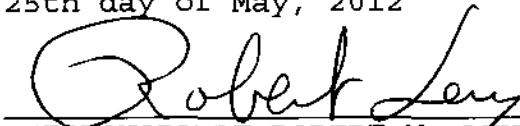
5. The defendant NELSON CORDERO admitted that his name was Nelson Cordero and provided deputies of the USMS with pedigree information that matched the pedigree information associated with the arrest warrant. Based on the outstanding warrant for the arrest of NELSON CORDERO, special agents of the USMS placed the defendant under arrest.

6. It is the desire of the United States Attorney for the Northern District of New York that the defendant NELSON CORDERO be removed to that district for prosecution.

WHEREFORE your deponent respectfully requests that the defendant NELSON CORDERO be removed to the Northern District of New York so that he may be dealt with according to law.


RYAN GUAY
Deputy
United States Marshal Service

Sworn to before me this
25th day of May, 2012


THE HONORABLE ROBERT M. LEVY
UNITED STATES CHIEF MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

MATTHEW L. BROWN
CHIEF PROBATION OFFICER

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF NEW YORK
PROBATION OFFICE

U.S. DISTRICT COURT U.S. COURTHOUSE
N.D. OF N.Y. 15 Henry Street, Mezzanine Level
Albany, New York 12207
ORIGINAL FILED
(607) 773-3202
Fax (607) 773-3140

MAY 23 2012

May 15, 2012 LAWRENCE K. BAERMAN, CLERK
ALBANY

UNITED STATES OF AMERICA

-v-

NELSON CORDERO

DECLARATION

Docket # 8:10-CR-595-002
Warrant Requested

Honorable Gary L. Sharpe, Chief U.S. District Judge
NORTHERN DISTRICT OF NEW YORK

Agnes McBride declares that she is a United States Probation Officer and that:

The above named defendant was arrested in the Eastern District of New York on April 13, 2011 based on an indictment in the Northern District of New York charging him with Conspiracy to Possess with Intent to Distribute and to Distribute a Controlled Substance, in violation of 21 U.S.C. § 846. The defendant had an initial appearance before the Magistrate Judge in Eastern District of New York on April 15, 2011 and was released on conditions, including to appear before Magistrate Judge Larry A. Kudrle on April 21, 2011. The defendant had an initial appearance before Magistrate Judge Kudrle on April 21, 2011 and was released on conditions, including drug testing and treatment. The defendant resides in Brooklyn, New York and is currently being supervised by the Pretrial Services Office in the Eastern District of New York.

On August 4, 2011, Pretrial Services in the Eastern District of New York notified this office that the defendant submitted a urine sample on July 21, 2011 which tested positive for marijuana. The defendant was questioned about the drug test results on August 4, 2011 and admitted using the drug due to stress related to a dispute with his girlfriend. Pretrial Services in the Eastern District of New York advised that otherwise, the defendant was compliant with his release conditions. The court was notified of his violation conduct and no further action was requested at that time.

On October 11, 2011, Pretrial Services in the Eastern District of New York again notified this office about the defendant's presumptive positive test result for alcohol on September 15, 2011. The pretrial services officer discussed the results with the defendant, who was 20 years of age, and he admitted using alcohol. The pretrial services officer advised the defendant was making some positive efforts and participating in a GED program. The court was again notified of his violation conduct and no further action was requested at that time.

The defendant had a change of plea hearing before your Honor on November 1, 2011 and entered a guilty plea. He is currently scheduled for sentencing before your Honor on June 28, 2012. Information received from the Pretrial Services Office in the Eastern District of New York reveals,

the defendant was arrested by the New York City Police Department on May 12, 2012 and charged with Criminal Possession of Controlled Substance 5th (Class D Felony) and Criminal Possession of a Controlled Substance 7th (Class A Misdemeanor). The defendant was arraigned in Kings County Criminal Court on May 13, 2012 and released on his own recognizance. As of May 15, 2012, the defendant has not notified the pretrial services supervision officer of his arrest or contact with law enforcement officials.

The probation office recommends the Court issue a warrant to address the defendant's violation conduct and consider remanding him to custody pending sentencing or taking any other action the Court deems appropriate.

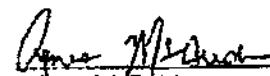
<u>Condition Number</u>	<u>Nature of Noncompliance</u>
1	The defendant must not violation any federal, state or local law while on release. On May 12, 2012, the defendant was arrested by the New York City Police Department and subsequently charged with Criminal Possession of a Controlled Substance 5 th (Felony) and Criminal Possession of a Controlled Substance 7 th (Misdemeanor) in Kings County Criminal Court, Brooklyn, New York.
7(p)	The defendant shall refrain from the use of alcohol. On September 15, 2011, the defendant submitted a positive alcohol test and subsequently admitted he consumed alcohol.
7(q)	The defendant shall from any use or unlawful possession of a narcotic drug and other controlled substances. On July 21, 2011, the defendant submitted a urine sample which tested positive for marijuana. He subsequently admitted using marijuana.
7(y)	The defendant shall report any contact with law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop. On May 12, 2012, the defendant was arrested by the New York City Police Department and subsequently charged with Criminal Possession of a Controlled Substance 5 th (Felony) and Criminal Possession of a Controlled Substance 7 th (Misdemeanor) in Kings County Criminal Court, Brooklyn, New York. The defendant failed to notify the pretrial services officer of the arrest.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Reviewed by:


Bruce D. VanTassel

Deputy Chief U.S. Probation Officer

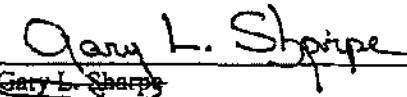

Agnes McBride
United States Probation Officer

cc: Daniel C. Gardner, AUSA

THE COURT ORDERS

- No Action
 The Issuance of a Summons
 Other
 The Issuance of a Warrant. This petition and all documents attached hereto are SEALED until such time as the warrant generated by this petition is returned executed.

The District Court Clerk's Office is hereby ORDERED NOT to serve a copy of this petition or any of the attached documents upon anyone EXCEPT that a copy is to be served upon law enforcement personnel. Copies shall be served upon the unsealing of the petition.


Gary L. Sharpe
Chief U.S. District Judge
NORTHERN DISTRICT OF NEW YORK
Date: May 23, 2012

Prob 19
(1/32)**ORIGINAL**

United States District Court
for the
NORTHERN DISTRICT OF NEW YORK



U.S.A. vs Nelson Cordero

Docket No. 8:10-CR-595-002

TO: Any United States Marshal or any other authorized officer.

WARRANT FOR ARREST OF PROBATIONER/SUPERVISED RELEASEE			
You are hereby commanded to arrest the within-named defendant and bring him or her, forthwith before the United States District Court to answer charges that he or she violated the conditions of his or her supervision imposed by the court.			
NAME OF SUBJECT Nelson Cordero	SEX Male	RACE White / Hispanic	AGE 1991 U S M # 79078-053
ADDRESS(STREET, CITY, STATE) 614 45 th Street, Brooklyn, New York 11230 (917) 474-0555			
SENTENCE IMPOSED BY (NAME OF COURT) U.S. District Court - Northern District of New York			
CLERK Lawrence K. Baerman	(BY) DEPUTY CLERK <i>John Dunn</i>	DATE 5/23/2012	

RETURN		
Warrant received and executed	DATE RECEIVED 5/23/2012	DATE EXECUTED 5/25/2012
EXECUTING AGENCY (NAME AND ADDRESS) <i>United States Marshal Service E/NY</i>		
NAME Charles Dunn USM Ryan Guay DASH	(BY) <i>[Signature]</i>	DATE 5/25/2012